REMARKS

Claims 1-22 are pending in the present application, and are rejected.

Double Patenting

Claims 1-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 6,881,311 in view of Kadokura et al. (U.S. Pat. 4,784,739) and Madocks (US PG Pub 2004/0149574).

The Examiner concludes that it would have been obvious to one of ordinary skill in the art at time the invention was made to have modified U.S. Pat. No. 6,881,311 by providing an auxiliary electrode to absorb electrons as taught by Kadokura et al. and Madocks because it allows for capturing electrons.

Applicants note that the cited reference and the present application are subject to assignment to the same entity. Applicants file herewith a Terminal Disclaimer, signed by Applicants' attorney, which disclaims the portion of any patent resulting from the present application that might extend beyond the full term of the cited reference. Applicants submit that this action addresses and renders moot the rejection.

In view of the aforementioned remarks, Applicants submit that that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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Enclosures: Terminal Disclaimer